

REMARKS

By the above amendment, a new independent claim 39 reciting the features of independent claim 1 and independent claim 13 therein, has been presented.

As to the requirement for restriction to one of the inventions identified as invention I - claims 1-12, drawn to an active matrix having a shield electrode overlapping with video lines, classified in class 349, subclass 111, and invention II - claims 13-38, drawn to an active matrix having a reference electrode overlapping with a video line, classified in class 349, subclass 143, the requirement for restriction is traversed as being improper, and reconsideration and withdrawal of the restriction requirement are respectfully requested.

In setting forth the requirement, the Examiner contends that inventions I and II are related as subcombinations disclosed as usable together in a single combination and the subcombinations are distinct from each other if they are shown to be separately usable. The Examiner contends that in the instant case, invention II has separate utility such as welding mask or light controllable liquid crystal windows referring to MPEP §806.05(d). Applicants submit that both combinations may be utilized in a similar manner and the suggested utilization has no bearing on the claimed subject matter. In any event, by the present amendment and the addition of new independent claim 39 which is generic to both invention I and invention II, applicants submit that the requirement should be withdrawn referring to MPEP §806.04(d). Accordingly, applicants request withdrawal of the restriction requirement.

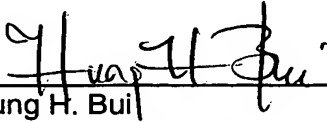
In order to provide a complete response to the restriction requirement, applicants provisionally elect invention I including claims 1-12 as well as newly added generic claim 39.

Upon allowance of claim 39, it is recognized that invention II will necessarily be considered.

For the foregoing reasons, favorable action with respect to all claims present in this application is respectfully requested.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (501.36068CC2) and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Hung H. Bui", is written over a horizontal line.

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